

[Stipulating parties listed on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re: CATHODE RAY TUBE (CRT)
 ANTITRUST LITIGATION

) Case No. 07-5944 SC

) MDL No. 1917

This Document Relates to:

) **STIPULATION AND ~~PROPOSED~~**
) **ORDER REGARDING DEFENDANTS'**
) **MOTION FOR SUMMARY JUDGMENT**
) **ON PLAINTIFFS' UMBRELLA**
) **DAMAGES [MDL DKT NO. 2977]**

Best Buy Co., Inc. et al. v. Hitachi, Ltd., et al.,
 No. 3:11-cv-05513-SC

Best Buy Co., Inc., et al. v. Technicolor SA, et al.,
 No. 3:13-cv-05264-SC

Alfred H. Siegel, as Trustee of the Circuit City
Store, Inc. Liquidating Trust v. Hitachi, Ltd.,
 No. 3:11-cv-05502-SC

Alfred H. Siegel, as Trustee of the Circuit City
Store, Inc. Liquidating Trust v. Technicolor SA,
et al., No. 3:13-cv-05261-SC

CompuCom Systems, Inc. v. Hitachi, Ltd., et al.,
 Case No. 3:11-cv-06396

Costco Wholesale Corp. v. Hitachi, Ltd., et al.,
 No. 3:11-cv-06397-SC

Costco Wholesale Corp. v. Technicolor SA, et
al., No. 3:13-cv-05723-SC

Electrograph Systems, Inc., et al. v. Hitachi,
Ltd., et al., No. 11-cv-01656-SC

Electrograph Systems, Inc., et al. v. Technicolor
SA, et al., No. 13-cv-05724-SC

Interbond Corp. of Am. v. Hitachi, Ltd. et al.,
 No. 3:11-cv-06276-SC

Interbond Corp. of America v. Technicolor SA,
et al., No. 3:13-cv-05727-SC

Office Depot, Inc. v. Hitachi, Ltd. et al., No.
 3:11-cv-06276-SC

Office Depot, Inc. v. Technicolor SA, et al., No.
 13-cv-05726-SC

P.C. Richard & Son Long Island Corp., et al., v.

1 *Hitachi, Ltd., et al.*, No. 12-cv-02648-SC)
2 *P.C. Richard & Son Long Island Corp., et al. v.*)
Technicolor SA, et al., No. 13-cv-05725-SC)
3)
Sears, Roebuck & Co. and Kmart Corp. v.)
4 *Chunghwa Picture Tubes, Ltd., et al.*, Case No.)
3:11-cv-05514-SC)
5 *Sears, Roebuck & Co. and Kmart Corp. v.*)
6 *Technicolor SA, et al.*, No. 3:13-cv-05262)
7 *Target Corp. v. Chunghwa Picture Tubes, Ltd.,*)
et al., No. 3:11-cv-05514-SC)
8 *Target Corp. v. Technicolor SA, et al.*, No 3:13-)
cv-05686-SC)
9 *Tech Data Corp., et al. v. Hitachi, Ltd., et al.*,)
10 No. 3:13-cv-00157-SC)
11 *Schultze Agency Services, LLC on behalf of*)
Tweeter Opco, LLC and Tweeter Newco, LLC v.)
12 *Hitachi, Ltd., et al.*, No. 12-cv-2649-SC)
13 *Schultze Agency Services, LLC on behalf of*)
Tweeter Opco, LLC and Tweeter Newco, LLC v.)
14 *Technicolor SA., et al.*, No. 13-cv-05668-SC)
15 *ViewSonic Corp. v. Chunghwa Picture Tubes,*)
Ltd., et al., No. 3:14-cv-02510-SC)
16)

17 The Direct Action Plaintiffs in the above-captioned actions (“DAPs”), on the one hand, and
18 Defendants, on the other hand, hereby stipulate as follows:

19 WHEREAS, on November 7, 2014, Defendants filed their Notice of Motion and Motion for
20 Summary Judgment on Plaintiffs’ Umbrella Damages (MDL Dkt. No. 2977);

21 WHEREAS, the DAPs no longer intend to pursue “umbrella” damages based on purchases of
22 CRTs, or products containing CRTs, where the CRTs were not manufactured by a conspirator;

23 IT IS HEREBY STIPULATED AND AGREED by and between counsel for the DAPs and
24 the undersigned Defendants, subject to the concurrence of the Court, that:

25 1. The DAPs shall not recover or seek to recover umbrella damages for any of their
26 claims under federal or state law.

1 2. Neither the DAPs nor their witnesses shall refer to, or argue that it would be
2 appropriate to award, umbrella damages or any damages based on purported effects caused by the
3 existence of a price umbrella;

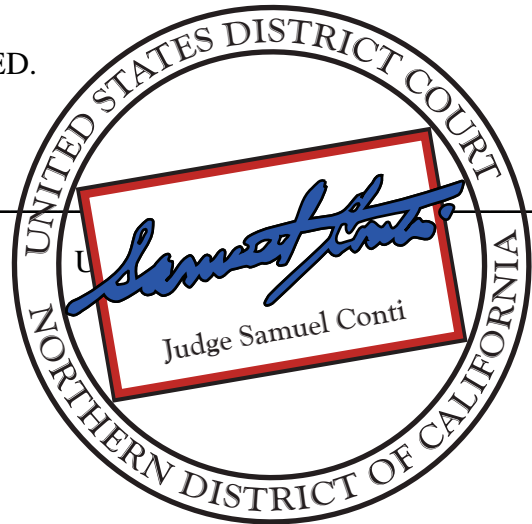
4 3. Contingent upon the Court's approval of this Stipulation, Defendants shall withdraw
5 their Motion for Summary Judgment on Plaintiffs' Umbrella Damages.

6 * * *

7 The undersigned parties jointly and respectfully request that the Court enter this stipulation
8 as an order.

9
10 PURSUANT TO STIPULATION, IT IS SO ORDERED.

11
12 Dated: 12/18/2014



Pursuant to Local Rule 5-1(i), the filer attests that the concurrence in the filing of this document has been obtained from each of the below signatories.

Dated: December 12, 2014

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